



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
May 23, 2007

PRESENT: Mayor Reed, Vice Mayor Cortese, Councilmembers Constant and Chirco

ABSENT:

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Les White, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Manager Nadine Nader, and Mayor Council Agenda Manager Alicia Bosco.

A. City Council

1. Review May 29, 2007 Final Agenda

None-Meeting Canceled.

2. Review of June 5, 2007 Draft Agenda

Action: The Committee approved the following additions to the June 5, 2007 Council Agenda:

- City Manager Compensation. (Mayor)
- Vietnamese Business District Designation. (Councilmember Nguyen/Mayor)
- Elections Commission Recommendation to Change Special Eligibility Requirement that One Member of the Elections Commission Be an Attorney-at-Law. (City Clerk)
- Presentation of a commendation to Renaissance Academy for being named a California Distinguished School. (Campos)
- Request for excused absences for Councilmember Chirco. (Chirco)
- Request for an excused absence for Councilmember Constant. (Constant)
- Acceptance of the Office of the City Auditor's Report. (City Auditor)

B. Redevelopment Agency

1. Review May 29, 2007 Final Agenda

None-Meeting Canceled.

2. Review June 5, 2007 Draft Agenda

Action: The Committee approved the June 5, 2007 Redevelopment Agency Agenda.

3. Assign “Time Certain” for convening Redevelopment Agency Agenda

There were none.

C. Legislative Update

1. State

(a) AB 1252 (Caballero) – Housing Related Parks Program. (Housing)

Documents Filed: Memorandum from Leslye Krutko Housing Director dated May 16, 2007 recommends Mayor and City Council support, with amendments, AB 1252 (Caballero) and a one-week turn around for Mayor and City Council review.

Action: The Committee approved the support position of AB 1252 (Caballero) with amendments and a one-week turn around for Mayor and City Council review.

(b) AB 1460 (Saldana) – Multifamily Housing Program. (Housing)

Documents Filed: Memorandum from Leslye Krutko Housing Director dated May 16, 2007 recommends Mayor and City Council support AB 1460 (Saldana) and a one-week turn around for Mayor and City Council review.

Action: The Committee approved the support position of AB 1460 (Saldana) with a one-week turn around for Mayor and City Council review.

(c) SB 46 (Perata) – Proposition 1C Regional Planning, Housing, and Infill Incentive Account. (Housing)

Documents Filed: Memorandum from Leslye Krutko Housing Director dated May 16, 2007 recommends Mayor and City Council support SB 46 (Perata) with amendments and a one-week turn around for Mayor and City Council review.

Action: The Committee approved the support position of SB 46 (Perata) with amendments with a one-week turn around for Mayor and City Council review.

(d) SB 586 (Dutton) – Proposition 1C Innovation Fund. (Housing)

Documents Filed: Memorandum from Leslye Krutko Housing Director dated May 16, 2007 recommends Mayor and City Council oppose SB 586 (Dutton), unless amended and a one-week turn around for Mayor and City Council review.

Action: The Committee agreed to support SB 586 unless amended with a one-week turn around for Mayor and City Council review.

2. Federal

None.

D. Meeting Schedules

None.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk, dated May 18, 2007 transmitting the Public Record for the week of May 11 – May 17, 2007

Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Council Expenditures and Reimbursements

Documents Filed: 1) Memorandum from Lee Price City Clerk dated May 18, 2007 recommend continued discussion on the Draft Council Expenditures and Reimbursement Policy as agreed at the May 16, 2007 Rules and Open Government Committee meeting.

Discussion: The Committee continued its discussion of the draft policy as it relates to food and beverages, advertising, grants and charitable contributions. The Committee concurred that the City's Food and Beverage Policy should be referenced however an exception made in the policy for providing light refreshments at meetings or other events for constituents. The Committee agreed that advertisements should conform to mass mailing regulations, except that they may contain the Councilmember's name and District designation, as well as some flexibility for font size. It was also agreed that no photos of Councilmembers or

District logos would be acceptable. The Committee also provided guidance to staff regarding grants and charitable contributions. Grants should follow the same administrative process as is now used to process HP Grants, however, staff should consider a cap of not less than \$250. The granting of cash or in-kind donations should meet similar criteria and only authorized if for the benefit of San José residents.

Action: The discussion was continued to June 5, 2007.

2. Approve the revised Commission/Liaison Code of Conduct Policy.

Documents Filed: Memorandum from Richard Doyle City Attorney dated May 16, 2007 approve the revised Commission/Liaison Code of Conduct Policy attached as Exhibit A which includes the changes recommended by the Rules and Open Government Committee.

Action: The Committee approved the revised Commission/Liaison Code of Conduct Policy including the change in the title and directed staff to cross-reference the item on the June 19, 2007 Council Agenda.

3. Response to the Macias Consulting Group's Report on the Finance Department's Investment Unit and the Finance Department's Response.

Documents Filed: Memorandum from Gerald A. Silva City Auditor dated May 10, 2007 response to two relevant issues.

Action: The Committee approved the Auditor's recommendation.

**4. Discussion of Cost-Neutral Opportunities for a Public Safety Memorial at New City Hall with Direction to Implement Memorial and Process for Accepting Private Sponsorship.
DEFERRED TO JUNE 6, 2007.**

H. Review of additions to Council Committee Agendas

1. Community and Economic Development Committee

- **Request approval to add to the June 25, 2007 Community and Economic Development Committee (CEDC) Agenda an item regarding the City Hall Exhibits Policy.**

Documents Filed: Memorandum from Paul Krutko dated May 17, 2007 recommending approval to add a report to the June 25 2007 CEDC agenda.

Action: The Committee approved the addition to the June 25, 2007 CEDC agenda.

2. Neighborhood Services and Education Committee

None

3. Transportation and Environment Committee

- **Request to add to the Workplan for August: Public Financing Opportunities for Widespread Solar Development and Other Energy-Saving Capital Investments in Public Buildings.**

Document Filed: Memorandum from Councilmember's Chirco and Liccardo dated May 9, 2007 recommending an addition to the August Workplan.

Action: The Committee approved the addition to the August Workplan.

I. Open Government Initiatives

1. Reed Reforms

2. Sunshine Reform Task Force

3. Significant Public Records Act Requests

- City Clerk Lee Price reported that the SRTF would be reporting out at the May 30, 2007 Rules and Open Government Committee meeting and recommended to set a time-certain for the discussion to not be heard before 2:30 p.m.

4. Council Policy Manual update

- Approval to Validate Selected Policies Contained in the City Council Policy Manual.

Documents Filed: Memorandum from Deanna Santana dated May 11, 2007 recommend validation of selected policies contained in the City Council Policy Manual and forward to the full Council for adoption of a resolution.

Action: The Committee agreed to move the selected policies forward to the full Council for approval.

J. Open Forum

None.

K. Adjournment

The meeting was adjourned at 3:55 p.m.

Chuck Reed, Mayor
Rules and Open Government Committee